

TOWNSHIP OF CHATHAM
ZONING BOARD OF ADJUSTMENT

IN THE MATTER OF: :
: TRANSCRIPT
CASE NO. BOA 17-95-18.01, : OF
T-MOBILE & VERIZON : PROCEEDINGS
WIRELESS, BLOCK: 95, LOT :
18.01 :
----- :

Thursday, March 16, 2017
Municipal Building
54 Fairmount Avenue
Chatham, New Jersey 07928
Commencing at 7:37 p.m.

BOARD MEMBERS PRESENT:

TONY VIVONA, Chairman
DENNIS NEWMAN
JON WESTON
TINA ROMANO
RICK WILLIAMS
MICHAEL HYLAND
WILLIAM STYPLE

ALSO PRESENT:

MARGARET SMITH, Secretary
ROBERT A. MICHAELS, Planner
JOHN K. RUSCHKE, P.E.

ALISON GULINO, CCR, RPR
CERTIFIED COURT REPORTER

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A P P E A R A N C E S:

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By: JENNIFER KNARICH, ESQ.
Counsel for the Applicant

I N D E XAPPLICANT'S WITNESS:PAGE

JOSHUA COTTRELL

10

EXHIBITS MARKED INTO EVIDENCENUMBERDESCRIPTIONPAGE

(None marked)

1 MS. KNARICH: Good evening. Jennifer
2 Knarich from Price, Meese, Shulman & D'Arminio, on
3 behalf of the co-applicants this evening, T-Mobile
4 Northeast, LLC, and New York SMSA Limited
5 Partnership d/b/a Verizon Wireless.

6 The project site is the Gloria Dei
7 Lutheran Church property known as Block 95, Lot
8 18.01 in the R3 residential district. The co-
9 applicants propose the installation of a 100-foot
10 permanent cellular tower at the approximate location
11 of an existing temporary tower that was approved by
12 this Board of Adjustment in 2011. This would
13 replace the temporary tower, which was required at
14 the time for a two-year period with extensions in
15 2014 and 2016 for PSE&G's continuing transmission
16 tower replacement project.

17 For this proposed tower, we are
18 proposing a total of nine antennae for T-Mobile at
19 146 feet and a total of 12 antennae are proposed for
20 Verizon Wireless at 136 feet. The tower is also
21 designed to accommodate a third carrier in the
22 future.

23 The subject location of the proposed
24 wireless tower is approximately 4200 square feet of
25 vacant area located at the rear of the property.

1 Access to this tower is proposed through the
2 existing driveway from the church parking lot to a
3 transcontinental gas metering and regulating station
4 located on the neighboring, Lot 18.02, which is to
5 the rear.

6 Additional site work proposed is a
7 23-by-38-wide gravel parking area as well as
8 installation of several wireless equipment which
9 includes a 10-by-10 Verizon Wireless platform with a
10 canopy, a 4-by-20 concrete pad for T-Mobile and what
11 is recently proposed, a 20K natural gas generator
12 from the initial application which proposed a 10K.
13 It's my understanding, there was discussions with
14 your acoustic expert to iron out the details with
15 respect to that generator and we have installation
16 of an underground electric telephone cable from an
17 existing utility pole located in the access drive as
18 well as an 8-foot-high security fence.

19 CHAIRMAN VIVONA: To clarify the
20 record, you said you are replacing a 100-foot pole
21 with a 100-foot pole.

22 MS. KNARICH: 150. I apologize.
23 Thank you.

24 CHAIRMAN VIVONA: You haven't appeared
25 before us before. We sort of recommended this site

1 because it is well hidden from neighborhoods.

2 MS. KNARICH: Correct.

3 CHAIRMAN VIVONA: There is one
4 neighborhood that is semi-close but on the other
5 side of the utility corridor and AT&T was granted
6 permission to go on the pole that is in the
7 corridor, which would mean all that stuff would be
8 visible. We suggested and you guys accepted the
9 suggestion of making the temporary tower a permanent
10 tower knowing it would be higher but still, the
11 visual characteristics of it are, in my opinion,
12 minor as compared to having the antennas and stuff
13 on the monopoles in the utility corridor.

14 I'm sure we have residents who are
15 concerned about that but we think this is a better
16 location. We are still going to enforce whatever,
17 not qualifications but restrictions on the
18 structures and everything else. Just because it's
19 hidden from view doesn't mean it can be haphazard so
20 we would like a lot of consideration given to
21 placement.

22 Even though there's an emergency
23 generator, it's not running at all times, it should
24 be placed in the compound that is furthest away from
25 any residential areas.

1 We would still like to impose the
2 restrictions on the coloration of the wires and the
3 pole. I guess the pole is galvanized steel? We
4 would like to have the gray-colored wires to
5 minimize the effect as well as the antennas
6 themselves should be a similar color to the pole so
7 it's less visual. Even if they are -- we will have
8 to discuss it -- like a sky blue to blend in because
9 the tower is quite a bit taller than what's around
10 there. We want it to be as semi-invisible as
11 possible.

12 MS. KNARICH: Sure.

13 CHAIRMAN VIVONA: As far as the 8-foot
14 fence, you want to wait for your engineer to
15 describe it and the compound?

16 MS. KNARICH: Yes. I do have him here
17 this evening if the Board is amenable to hearing
18 from him.

19 MR. SHAW: Go over the variance relief
20 requested so we have a better understanding when we
21 do our site inspection.

22 MS. KNARICH: There's a few. I'll try
23 to be brief.

24 The first is the use variance for the
25 installation of a wireless tower in a residential

1 zone.

2 We also have minimum allowable setback
3 distance for a cell tower from a residential
4 district. That's 100 feet required. We have here
5 zero feet proposed.

6 In terms of allowable setback
7 distance, the accessory structure, the cellular
8 tower, in terms of the minimum rear setback
9 required, the minimum rear yard setback distance is
10 50 feet allowed and we are proposing 45 and the
11 minimum allowable setback distance of an accessory
12 structure, the T-Mobile equipment pad, that would be
13 50 feet allowed, once again. We are proposing 17
14 feet for that equipment pad.

15 In terms of the maximum allowable
16 height, we are proposing 100 feet [sic]. The
17 maximum height is 35 for the -- 150 feet. I don't
18 know why I keep saying that.

19 CHAIRMAN VIVONA: Write it down.

20 MS. KNARICH: I got it.

21 In terms of length of the panel
22 antenna, Verizon Wireless is proposing 6.02 feet and
23 5 feet is required maximum and in terms of the panel
24 antennas for T-Mobile, we are proposing 13 inches
25 where the maximum 12 inches is required. The

1 maximum width of panel antennas for Verizon Wireless
2 is 12 inches required and 13.08 inches proposed.

3 And in terms of the overall impervious
4 lot coverage in a residential district, we have
5 17,102 square feet allowed and 48,693 square feet
6 are currently preexisting, where we are going up to
7 proposed 4983 square feet for permanent coverage.

8 The allowable setback distance for an
9 accessory structure for the Verizon equipment
10 canopy, minimum would be 50 feet allowed and we are
11 proposing approximately 18 feet proposed.

12 In terms of the spacing between
13 auxiliary structures which house equipment related
14 to antennas, T-Mobile cabinets, 5 feet is required
15 and we are proposing 3 feet between the proposed
16 T-Mobile equipment pad and the proposed telco
17 cabinet.

18 We also have the allowable height of
19 the fence. 8 feet is proposed and 6 feet is the
20 maximum allowable.

21 And lastly, we do have a request for
22 removal of the condition of the prior Board
23 resolution that requires reforestation of the
24 project site.

25 CHAIRMAN VIVONA: Okay. Mostly, the

1 setbacks are actually just because of the property
2 line. It's not really due to a residence being
3 within 50 feet so it's actually just property line,
4 which is in back in this wooded area.

5 There already is a gravel driveway
6 going back to it which would stay the same or no
7 paving and the antennas are similar to ones that we
8 passed before.

9 MS. KNARICH: Correct.

10 CHAIRMAN VIVONA: The 13-inch one is
11 minor and the standard size now is 6.3 or...

12 MS. KNARICH: Yes.

13 CHAIRMAN VIVONA: Are those the higher
14 ones or lower ones?

15 MS. KNARICH: Second from the top.

16 CHAIRMAN VIVONA: Not the highest?

17 MS. KNARICH: Second from the top.

18 CHAIRMAN VIVONA: The smallest are at
19 the top of the tower -- we should go ahead and bring
20 your engineer on.

21 MS. KNARICH: Sure. I also have my
22 planner if there's any questions.

23 J O S H U A C O T T R E L L, first having been
24 duly sworn, testified as follows:

25 MR. COTTRELL: I prepared this site

1 plan for this application. I'm a licensed
2 professional engineer in the State of New Jersey. I
3 testified before numerous Boards throughout the
4 State of New Jersey including this one, I believe.

5 CHAIRMAN VIVONA: Okay. Your
6 qualifications sound okay with us.

7 MR. COTTRELL: I'll go through the
8 existing site conditions first and refer to the site
9 plan, which is the second sheet in the set.

10 The property is located at Block 95,
11 Lot 18.01, a 3.05-acre site. It fronts on Shunpike
12 Road. Currently on the site is the Gloria Dei
13 Lutheran Church towards the front with access
14 driveways and parking. There's an existing gravel
15 driveway going towards the rear of the property
16 towards Lot 18.02, which I believe is the
17 transcontinental pipeline property or gas line
18 property. I'm not too sure on that. There's an
19 existing access easement back to that property.

20 MS. KNARICH: Before you continue, did
21 you want to mark these?

22 MR. SHAW: If those are the original
23 documents, we will just refer to it.

24 MR. COTTRELL: This is last revised
25 December 13, 2016.

1 So, currently, there's an existing
2 temporary telecommunications facility at the rear of
3 the church property. I'll flip the page. It will
4 give you a clearer view of what that is.

5 Currently, there's a 100-foot monopole
6 on a concrete ballast frame, which I believe is
7 about 24 feet by 24 feet, the concrete ballast. On
8 top of that concrete ballast, T-Mobile has equipment
9 cabinets. Surrounding that ballast frame is a
10 temporary construction type fence. I believe it's 6
11 feet high. Also within that area, AT&T has a
12 temporary equipment trailer, just a wheeled trailer
13 with a hitch, that houses the AT&T equipment. On
14 top of the existing pole, T-Mobile has three
15 antennas and AT&T currently has six antennas.

16 Utilities back to the temporary site
17 consist of overhead wiring to a utility pole to the
18 other side of the gravel driveway with overhead
19 wires to a temporary meter and disconnect and then
20 telephone wires to a temporary telephone cabinet
21 there. The proposal is to remove all that.

22 In its place, the applicant has
23 proposed to install a 150-foot-tall monopole with
24 T-Mobile with nine antennas at the center line
25 elevation of 146 and Verizon at a center elevation

1 of 136 and Verizon Wireless has 12 antennas.

2 At the base of the pole, T-Mobile will
3 be installing a 4-by-20-foot concrete pad for the
4 equipment and Verizon Wireless will be installing a
5 10-foot-by-20-foot concrete pad with an overhead
6 roof canopy. Verizon Wireless will also be
7 installing, from what I understand, a 20KW
8 generator, natural gas.

9 The new compound, we are proposing to
10 enclose with an 8-foot-high chain-link fence with a
11 12-foot access gate in the front. The compound will
12 be covered with gravel cover. There will be a
13 gravel-covered parking area between the existing
14 gravel drive and the new compound.

15 The utilities will be routed
16 underground from the existing utility pole to the
17 new utility demarcs inside the compound.

18 As I said, Verizon Wireless is
19 currently proposing a natural gas powered generator.
20 They are proposing to install an underground gas
21 line from Shunpike Road back to the site.

22 I think that pretty much does the
23 proposed improvements.

24 CHAIRMAN VIVONA: Why do you need two
25 pads? Why not just do one?

1 MR. COTTRELL: The carriers have their
2 own equipment areas and I guess they do not like to
3 share. T-Mobile only requires a 4-by-20 and Verizon
4 Wireless will have the 10-by-20. It's all enclosed
5 by a 50-by-50-foot compound.

6 CHAIRMAN VIVONA: How big is the
7 compound right now?

8 MR. COTTRELL: I would say it's
9 smaller. It's not really a rectangle.

10 CHAIRMAN VIVONA: So when we go out
11 for the site visit...

12 MR. COTTRELL: The proposed compound
13 will fit inside the existing except for maybe a few
14 corners here. If you look at the drawings, I show
15 the existing fence and the proposed fence so there's
16 about 15 feet on the northern side that will be
17 reduced and 15 feet on the eastern side that will be
18 reduced.

19 CHAIRMAN VIVONA: So you are going to
20 run a natural gas line. Verizon, that's a smaller
21 pad?

22 MR. COTTRELL: They have the larger
23 pad.

24 CHAIRMAN VIVONA: T-Mobile is a
25 smaller pad and their equipment is just open air, no

1 covers?

2 MR. COTTRELL: Correct.

3 CHAIRMAN VIVONA: Verizon Wireless is
4 going to have a canopy roof, no sides?

5 MR. COTTRELL: Correct.

6 CHAIRMAN VIVONA: I guess you will
7 have specs on how high that is?

8 MR. COTTRELL: Yes. I believe it's 10
9 feet high. We do show a detail on Sheet SP7. It's
10 10 feet high.

11 CHAIRMAN VIVONA: What about lighting?

12 MR. COTTRELL: Both pads will have
13 work lights. Those can be put on a manual switch
14 with a timer so that, if a technician goes out and
15 forgets the switch, it wouldn't be an infinite time
16 that the light was on.

17 CHAIRMAN VIVONA: Generally, the
18 technicians come out once or twice a month?

19 MR. COTTRELL: During the daytime
20 only. At night, for emergency reasons.

21 CHAIRMAN VIVONA: Where is the
22 placement of the generator?

23 MR. COTTRELL: Right now, it's
24 proposed to be on the 10-by-20 pad. I am assuming
25 -- as I said, these plans show a 10KW. From what I

1 have been told, it's 20KW. I anticipate that 20KW
2 to be able to fit on that 10-by-20 pad. That's
3 towards, the Verizon pad, the northwest corner of
4 the compound. This white space here is the PSE&G
5 easement. This is the compound and Verizon will be
6 back here in this corner.

7 CHAIRMAN VIVONA: So you are as far
8 away from public as possible?

9 MR. COTTRELL: Yes.

10 CHAIRMAN VIVONA: I don't know about
11 -- we went 20 meetings over sound with other
12 carriers. Being that these are the outdoor boxes,
13 they are not -- the sound that comes out of them is
14 de minimis, I would suppose?

15 MR. COTTRELL: Well, they will be
16 required to meet the noise ordinance. We are still
17 trying to get the right noise data for their
18 proposed generator. Obviously, we will have no
19 problem meeting the noise requirement to the nearest
20 residential. That won't be an issue.

21 CHAIRMAN VIVONA: The nearest
22 residential is approximately a couple hundred feet
23 away, isn't it?

24 MR. COTTRELL: Yes. I don't have the
25 distance but by about 300 feet.

1 CHAIRMAN VIVONA: The church is 100
2 feet?

3 MR. COTTRELL: Yeah. Much more than
4 100 feet. I would say -- I do have a scale.
5 Probably 200 feet.

6 CHAIRMAN VIVONA: The compound is 50
7 by 50. That's almost 200 feet to the...

8 MR. COTTRELL: Yeah. At least.

9 CHAIRMAN VIVONA: Behind it is the
10 pipeline corridor so there's no resident behind the
11 building and it's all heavily wooded.

12 MR. COTTRELL: Correct.

13 CHAIRMAN VIVONA: We will see all that
14 at the site visit too.

15 As far as the fence, even though it is
16 sort of hidden in the back, we'd like to entertain
17 the slats in the chain link. It makes it harder to
18 climb and it hides it a little bit and gives a
19 little soundproofing to the generator.

20 MR. COTTRELL: I don't see an issue
21 with that.

22 CHAIRMAN VIVONA: For anyone in the
23 public, a 20KW generator is twice as powerful as a
24 10KW but not twice the size. It's not a big
25 trailer.

1 MR. SHAW: We will get into the
2 details at the subsequent hearing.

3 MR. COTTRELL: Yes.

4 CHAIRMAN VIVONA: I think that's a
5 pretty general overview.

6 MR. SHAW: That's an overview of the
7 site.

8 CHAIRMAN VIVONA: Is there any
9 Wetlands that we need to worry about back there? I
10 don't think so because the temporary is there.

11 MR. RUSCHKE: Not at that location.
12 There is a Wetlands pocket located on the PSE&G that
13 I identified that they may need to get a general
14 permit.

15 MR. COTTRELL: That would be for the
16 gas line.

17 CHAIRMAN VIVONA: Okay. The power
18 lines, you are going to bury as well, correct?

19 MR. COTTRELL: Yes. To the point
20 there's an existing utility pole at the rear so
21 everything will be overhead until that utility pole
22 and then underground the existing access drive to
23 the compound.

24 CHAIRMAN VIVONA: Okay.

25 All right, Ms. Knarich. Do you have

1 anything else you would like to...

2 MS. KNARICH: I think we covered
3 everything. I have my planner here. In terms of
4 providing proofs for the variances, I think we want
5 to wait for the subsequent meeting.

6 CHAIRMAN VIVONA: We will set up a
7 site visit for April 1st, 9:00 a.m. We would like
8 the area of the new fence marked out, the area of
9 the two pads marked out and the center point of the
10 tower because everything else is on the pads.
11 There's no other additional stuff, correct?

12 MR. COTTRELL: Correct.

13 CHAIRMAN VIVONA: Okay. The antennas
14 that are on the current pole, are these the 6-foot
15 ones; do you think?

16 MR. COTTRELL: I believe they are
17 shorter.

18 CHAIRMAN VIVONA: So we get some sort
19 of a reference. And what about the balloon test?

20 MR. SHAW: I wanted to see if there
21 was a possibility of a balloon test to see what the
22 tower looks like there.

23 MS. KNARICH: With the caveat that it
24 would be subject to weather.

25 MR. SHAW: The objective would be to

1 try to get it done sometime before the final public
2 meeting if we can't get it in time for the site
3 inspection, as long as that can be up there.

4 MS. KNARICH: Would you post that on
5 your website in the event it's not April 1st?

6 MR. SHAW: Yes.

7 MS. KNARICH: Have, like, an
8 alternative date in the event of weather.

9 MR. MICHAELS: Could e-mails go out to
10 the members and the Board professionals?

11 MS. SMITH: I can do that and we can
12 add something to the website if it's different than
13 April 1st.

14 MS. KNARICH: Thank you.

15 CHAIRMAN VIVONA: Anybody here from
16 the public here for this application, there will be
17 a chance for you to ask questions of their
18 professionals and make statements at the end. We
19 want all the information on the record first. If
20 you have any questions or comments, you are more
21 than welcome to make them at that time.

22 MR. SHAW: For everyone present,
23 there's a site inspection April 1st and it's open to
24 the public so everyone is invited to come and attend
25 and then the application is going to be carried

1 without any further notice to the Board's meeting on
2 April 12th. That's when the substance of the
3 testimony is going to go in. Their experts will
4 testify and you will have an opportunity to question
5 them and make your own comments as well.

6 MR. WESTON: How long do you
7 anticipate the construction to last?

8 MR. COTTRELL: Two months depending on
9 the weather. They will come and pour the foundation
10 for the monopole and that has to cure and set. That
11 takes the longest time.

12 MS. KNARICH: Hopefully, no more snow.

13 CHAIRMAN VIVONA: Does the temporary
14 stay up while you build the other one?

15 MR. COTTRELL: Yes.

16 MS. KNARICH: So there's no loss in
17 coverage.

18 CHAIRMAN VIVONA: Right. Okay.

19 Anybody have anything else?

20 (No response)

21 CHAIRMAN VIVONA: We will see you at
22 the site visit at 9:00 a.m.

23 MS. KNARICH: Thank you.

24 (The hearing concluded at 8:09 p.m.)
25

C E R T I F I C A T E

I, ALISON GULINO, a Certified Court
Reporter, Registered Professional Reporter and
Notary Public of the State of New Jersey, do hereby
state that the foregoing is a true and accurate
verbatim transcript of my stenographic notes of the
within proceedings, to the best of my ability.

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